

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37281 of 2025**

Arising Out of PS. Case No.-173 Year-2021 Thana- GURUA District- Gaya

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Biru Mandal @ Niru Kumar @ Arvind Bhuiyan Son of Umesh Mandal @  
Umesh Bhuiyan R/O Village - Lemboyain, P.S.- Raushanganj, District- Gaya  
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Swati Parmar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      18-06-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Gurua P.S. Case No. 173 of 2021 registered for the alleged offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, three persons riding on a motorcycle stopped the motorcycle of the informant and snatched his mobile phone and cash. One of the miscreants was apprehended by the local people. This apprehended co-accused Vinay Kumar named this petitioner and other co-accused persons for being involved in the alleged occurrence.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. The name of the petitioner came up in this case on the basis of statement of co-accused Vinay Kumar but there is no eye witness or the independent witness. Learned counsel further submits that similarly placed co-accused Chandan Paswan has been granted bail by a Co-ordinate Bench vide order dated 18.04.2024 passed in Cr. Misc. No. 23695 of 2024. The petitioner is in custody since 28.02.2025 and charge sheet has been submitted. The petitioner has antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the grant of bail to similarly placed co-accused, submission of charge sheet and period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sherghati, Gaya /concerned Court



in connection with Gurua P.S. Case No. 173 of 2021, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

DKS/-

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